

RECEIVED
COMMUNICATIONS
APR 7 2005

**RESPONSE UNDER 37 C.F.R.
§1.116 - EXPEDITED PROCEDURE -
EXAMINING GROUP 2133**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Timothy J. Mouldsley	Examiner:	Joseph D. Torres
Serial No:	10/702,139	Art Unit:	2133
Filed:	November 5, 2003	Docket:	PHB 34,266D (16860W)
For:	CODING DEVICE AND COMMUNICATION SYSTEM USING THE SAME	Date:	April 7, 2005
		Conf. No.:	7819

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 C.F.R. § 1.116

Sir:

Responsive to the final Office Action dated February 24, 2005, Applicant respectfully requests that the Examiner reconsider the above-identified application in view of the following.

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office at 703-872-9306 on April 7, 2005.

Dated: April 7, 2005


Ralph F. Hoppin

BEST AVAILABLE COPY

400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e:mail: intprop@ssmp.com

SCULLY, SCOTT, MURPHY & PRESSER

Fax

RECEIVED
TELEPHONE
APR 7 2005

To: Examiner Joseph D. Torres Art Unit: 2133	From: Ralph F. Hoppin, Esq. Registration No.: 38,494
Fax: (703) 872-9306	Pages: 13
Phone: (571) 272-3829	Date: April 7, 2005
Re: USSN: 10/702,139 Our Docket: PHB 34,266D (16860W)	CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Acknowledge

The following is being transmitted to the U.S. Patent and Trademark Office on April 7, 2005:

1. Response Under 37 C.F.R. § 1.116 W/Terminal Disclaimer
2. Transmittal in Dupl.
3. Authorization to Charge Dep. Acct. 14-1270 for \$130.00
4. Certificate of Facsimile Transmission Under 37 C.F.R. § 1.8(a)

Applicant: Timothy J. Mousley
Serial No.: 10/702,139
Filed: November 5, 2003
For: CODING DEVICE AND COMMUNICATION SYSTEM USING
THE SAME
Docket: PHB 34,266D (16860W)
Dated: April 7, 2005
TS/RFH:cm

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

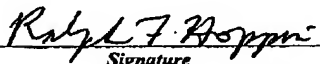
If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Christine Mogenis.

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): Timothy J. Mouldsley			PHB 34,266D (16860W)
Application No. 10/702,139	Filing Date November 5, 2003	Examiner Joseph D. Torres	Group Art Unit 2133
Invention: CODING DEVICE AND COMMUNICATION SYSTEM USING THE SAME			
Confirmation No.: 7819			
<p>I hereby certify that this <u>RESPONSE UNDER 37 C.F.R. 1.116</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u>) on <u>April 7, 2005</u> (Date)</p> <p style="text-align: center;"><u>Ralph F. Hoppin</u> (Typed or Printed Name of Person Signing Certificate) <u>Ralph F. Hoppin</u> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

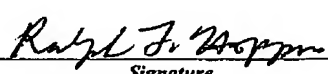
P18/REV02

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Timothy J. Mousley			Docket No. PHB 34,266D (16860W)
Application No. 10/702,139	Filing Date November 5, 2003	Examiner Joseph D. Torres	Group Art Unit 2133
Invention: CODING DEVICE AND COMMUNICATION SYSTEM USING THE SAME			
Confirmation No.: 7819			
<p>I hereby certify that this <u>RESPONSE UNDER 37 C.F.R. 1.116</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u>) on <u>April 7, 2005</u> (Date)</p> <p style="text-align: right;"><u>Ralph F. Hoppin</u> (Typed or Printed Name of Person Signing Certificate) <u>Ralph F. Hoppin</u> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

P18/REV02

AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. PHB 34,266D (16860W)	
Applicant(s): Timothy J. Mounsley						
Application No. 10/702,139	Filing Date November 5, 2003	Examiner Joseph D. Torres	Customer No.	Group Art Unit 2133	Confirmation No. 7819	
Invention: CODING DEVICE AND COMMUNICATION SYSTEM USING THE SAME						
<u>COMMISSIONER FOR PATENTS:</u>						
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	16 -	20 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	2 -	3 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<div style="display: flex; flex-direction: row;"><div style="flex: 1;"><p><input checked="" type="checkbox"/> No additional fee is required for amendment.</p><p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____</p><p><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</p><p><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-1013/SSMP</p><p><input type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p><p><input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p><p><input type="checkbox"/> Payment by credit card. Form PTO-2038.</p></div><div style="flex: 1; padding-left: 20px;"><p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p></div></div>						
<div style="text-align: center;"> Signature</div> <p>Ralph F. Hoppin Registration No.: 38,494</p> <p>SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza, Suite 300 Garden City, NY 11530 (516) 742-4343</p>			<p>Dated: April 7, 2005</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.6(a)] on _____</p><p style="text-align: center;">(Date)</p><p style="text-align: center;">_____ Signature of Person Mailing Correspondence</p><p style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</p></div>			
CC:						

P11LARGE/REV09

AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. PHB 34,266D (16860W)	
Applicant(s): Timothy J. Mousley						
Application No. 10/702,139	Filing Date November 5, 2003	Examiner Joseph D. Torres	Customer No.	Group Art Unit 2133	Confirmation No. 7819	
Invention: CODING DEVICE AND COMMUNICATION SYSTEM USING THE SAME						
COMMISSIONER FOR PATENTS:						
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	16 -	20 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	2 -	3 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-1013/SSMP <input type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 Signature			Dated: April 7, 2005			
Ralph F. Hoppin Registration No.: 38,494 SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza, Suite 300 Garden City, NY 11530 (516) 742-4343			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence _____			
CC:						

P11LARGE/REV09

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.